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July 19, 2005

Commissioner for Patents  
Box: 1450  
Alexandria, VA 22313-1450

RE: OPPOSITION TO PUBLISHED APPLICATION BY GARCIA-CAUREL ET AL.;  
PUB. NO. US 2005/0105088; ✓  
PUB. DATE: MAY 19, 2005;  
SERIAL NO.: 10/507,280;  
FILE DATE: MAR. 11, 2003.

Dear Sir;

Please find enclosed a check for \$180.00, a listing of References which we feel should be considered in Examination of the identified Published Application, accompanied by copies thereof.

PCT APPLICATION WO 99/66286 BY DREVILLON, PUBLISHED 23 DEC. 1999, (NOW US PATENT 6,917,675).

PCT APPLICATION WO 01/07881 BY COLORADO SCHOOL OF MINES, PUBLISHED 01/ FEB. 2001, (NOW US PATENT 6,384,916).

PATENT NO. 5,956,147 TO JELLISON ET AL., ISSUED SEP. 21, 1999, FILED JUN 13, 1997 AS SERIAL NO. 08/874,365.

PATENT 6,222,199 TO FREEOUF, ISSUED APR. 24, 2001, FILED MAY 25, 1999 AS SERIAL NO. 09/318,035.

"DIELECTRIC FUNCTION OF AMORPHOUS TANTALUM OXIDE FROM THE FROM INFRARED TO DEEP ULTRAVIOLET SPECTRAL REGION MEASURED BY SPECTROSCOPIC ELLIPSOMETRY"; FRANKE ET AL., J. APP. PHYS. VOL 88, NO. 9 (1 NOV. 2000).

"NEW PURGED UV SPECTROSCOPIC ELLIPSOMETER TO CHARACTERIZE THIN FILMS AND MULTILAYERS AT 157 NM"; BOHER ET AL., PROC. SPIE, VOL. 3998, P. 379-389, (2003).

"OVERVIEW OF VARIABLE ANGLE SPECTROSCOPIC ELLIPSOMETRY (vase), PART II: ADVANCED APPLICATIONS, JOHS ET AL., SOC. OF PHOTO-OPTICAL INSTRU. ENGINEERS, (1999).

"OPTICAL CHARACTERIZATION IN THE VACUUM ULTRAVIOLET WITH VARIABLE ANGLE SEPCTROSCOPIC ELLIPSOMETRY: 157 NM AND BELOW"; HILFIKER ET AL., SPIE (2003).

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"DESIGN AND PERFORMANCE OF A VUV ELLIPSOMETER"; JOHNSON ET AL.,  
ELSEVIER SCIENCE PUB. (1990).

"MEASUREMENT OF RUTILE  $\text{TiO}_2$  DIELECTRIC TENSOR FROM 0.148 TO 33  
MICRON USING GENERALIZED ELLIPSOMETRY"; TIWALD ET AL., PROC.  
SPIE VOL. 4103, (2000).

Sincerely,

JAMES D. WELCH

JW/hs

enc.

THE UNDERSIGNED, JAMES D. WELCH, HEREBY ATTESTS THAT A COPY OF  
THIS LETTER AND COPIES OF THE IDENTIFIED PATENTS AND ARTICLES  
WERE SENT TO THE INVENTOR'S ATTORNEY, ANTHONY H. HANDAL, AT  
KIRKPATICK & LOCKHART NICHOLSON GRAHAM, LLP, AT 599 LEXINGTON  
AVENUE, 33RD FLOOR, NEW YORK, NY 10022-6030 ON JULY 19, 2005 WITH  
SUFFICIENT FIRST CLASS POSTAGE AFFIXED THERETO.

JAMES D. WELCH

7/19/05  
DATE